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#5
12/5/02

In the Application of:

Examiner:

TBD

Browning, et al.

Group Art Unit:

1646

Serial No.: 10/077,438

Filing Date: February 15, 2002

For: BAFF RECEPTOR (BCMA), AN IMMUNOREGULATORY AGENT

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Nov. 18, 2002
Date

J. Marlier
Jacqueline L. Marlier

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application, or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☒ Copies of the cited references are enclosed.
 - ☐ Copies of cited references are not enclosed; said references were cited in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ the enclosed English language abstract.

☒ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. 10/077,137, by Browning et al., filed February 15, 2002,
Docket No.: A080 US

_____ U.S. Patent Application No. 10/115,192, by Schneider et al., filed April 2, 2002, Docket
No.: A083 US

_____ U.S. Patent Application No. 09/911,777, by Browning et al., filed July 24, 2001, Docket
No.: A070 US

Examiner

Date

☒ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

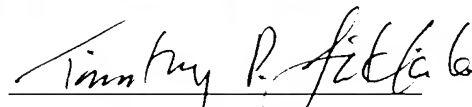
☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 02-2327 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 02-2327.

Respectfully submitted,

Date: 11/14/02



Timothy P. Linkkila

Reg. No. 40,702

BIOGEN, INC.

14 Cambridge Center

Cambridge, MA 02142

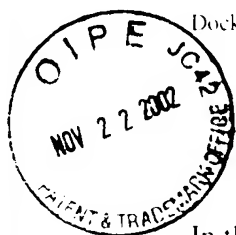
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Docket No.: A080 USCIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit:

1646

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Filing Date: February 15, 2002

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Nov 18, 2002
Date

Jacqueline L. Marlier
Jacqueline L. Marlier

SUPPLEMENTAL COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The attached Information Statement Disclosure submitted herewith is being filed before the mailing date of a first Office Action on the merits and therefore no fee is due.

In an abundance of caution, however, the Assistant Commissioner is hereby authorized to charge Deposit Account No. 02-2327 for any unforeseen fee that may be due.

In addition to the attached Information Statement Disclosure submitted herewith, Applicants are including a copy of the International Search Report issued for PCT application number PCT/US00/22507, on which the instant U.S. application is based.

If the Examiner believes that consideration of the application, or of any matter related to this submission, would be facilitated by a telephone conference with Applicants' attorney, the Examiner is urged to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Date:

11/14/02

Timothy P. Linkkila

Timothy P. Linkkila

Reg. No. 40,702

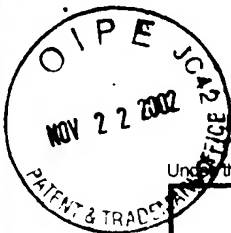
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Docket No.: A080 USCIP

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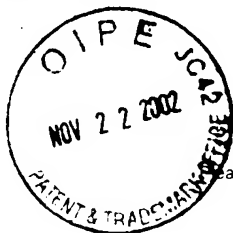
Signature

Jacqueline L. Marlier

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. General Transmittal Form (1 pg.)
2. Copy of International Search Report (11 pgs.)
3. Copy of U.S. Application Number 10/077,137 - A080US (66 pgs.)
4. Copy of U.S. Application Number 10/115,192 - A082US (82 pgs.)
5. Copy of U.S. Application Number 09/911,777 - A070US (88 pgs.)
6. PTO Form 1449 (2 pgs.)
7. Information Disclosure Statement Transmittal Form (3 pgs.)
8. Information Disclosure Statement - Supplemental Communication (2 pgs.)
9. Copies of Cited References (BA-BD & CA-CJ)
10. Return Receipt Postcard



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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/077438	
	Filing Date	2/15/2002	
	First Named Inventor	Browning et al.	
	Group Art Unit	1646	
	Examiner Name	TBD	
Total Number of Pages in This Submission	244	Attorney Docket Number	A080 US CIP

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <div>PTO Form 1449 & cited refs.; IDS - Suppl. Communication; copy of Int'l Search Report; copies of U.S. Applications 10/077137, 10/115192 & 09/911777</div>
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks The Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 02-2327	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Timothy P. Linkkila Reg. No. 40,702
Signature	<i>Timothy P. Linkkila</i>
Date	November 14, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: Nov. 18, 2002			
Typed or printed name	Jacqueline L. Marlier		
Signature	<i>Janet</i>	Date	Nov. 18, 2002

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Substitute for form 1449A.PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/077,438
				Filing Date	2/15/2002
				First Named Inventor	Browning, Jeffrey
				Group Art Unit	1646
				Examiner Name	TBD
Sheet	1	of	2	Attorney Docket Number	A080 US CIP

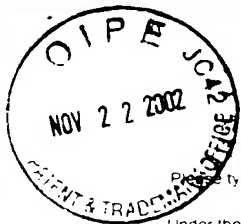
[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initials, reference considered, whether or not station is in compliance with MPEP 609. Drawings through station, if in compliance and if not. (See Instructions to Applicants on this form with regard to the examination of drawings.)

[illegible][illegible]

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449B-PTO

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Sheet 2 of 2

Complete if Known

Application Number	10/077,438
Filing Date	2/15/2002
First Named Inventor	Browning, Jeffrey
Group Art Unit	1646
Examiner Name	TBD
Attorney Docket Number	A080 US CIP

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published
	CA	Gras et al., "BCMA: an Integral Membrane Protein in the Golgi Apparatus of Human Mature B Lymphocytes", International Immunology, Vol. 7, No. 7, 1995, pgs. 1093-1106.
	CB	Gross et al., "TACI and BCMA are Receptors for a TNF Homologue Implicated in B-Cell Autoimmune Disease", Nature, Vol. 404, April 27 2000, pgs. 995-999
	CC	Kwon et al., "Functions of Newly Identified Members of the Tumor Necrosis Factor Receptor/Ligand Superfamilies in Lymphocytes", Current Opinion in Immunology, 1999, pgs. 340-345
	CD	Laabi et al., "A New Gene, BCM, on Chromosome 16 is Fused to the Interleukin 2 Gene by a t(4;16)(q26;p13) Translocation in a Malignant T Cell Lymphoma", The EMBO Journal, Vol. 11, No. 11, 1992, pgs. 3897-3904.
	CE	Laabi et al., "The BCMA Gene, Preferentially expressed during B Lymphoid Maturation, is Bidirectionally Transcribed", Nucleic Acids Research, Vol. 22, No. 7, 1994, pgs. 1147-1154
	CF	Maldry et al., "The Characterization of Murine BCMA Gene Defines it as a New Member of the Tumor Necrosis Factor Receptor Superfamily", International Immunology, Vol. 10, No. 11, 1998, pgs. 1693-1702
	CG	Pitti et al., "Genomic Amplification of a Decoy Receptor for Fas Ligand in Lung and Colon Cancer", Nature, Vol. 396, December 17 1998, pgs. 699-703
	CH	Schneider et al., "BAFF, a Novel Ligand of the Tumor Necrosis Factor Family, Stimulates B Cell Growth", J. Exp. Med., Vol. 189, No. 11, June 7 1999, pgs. 1747-1756
	CI	Thompson et al., "BAFF Interacts with the Orphan Receptor, BCMA", Scandinavian Journal of Immunology, Vol. 51 (supplement 1), 2000, pg. 65
	CJ	Thompson et al., "BAFF Binds to the Tumor Necrosis Factor Receptor-like Molecule B Cell Maturation Antigen and is Important for Maintaining the Peripheral B Cell Population", J. Exp. Med., Vol. 192, No. 1, July 3, 2000, pgs. 129-135

Examiner
Signature

Date
Considered

*EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation for not considered. Considered: include copy of this form with next communication to applicant.

*Translation: designation number: Applicant's to place a check mark here if English language translation is attached.

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